

IN RE: PETITION FOR ADMIN. VARIANCE  
S/S Rosalie Avenue, 155' E of  
Greyhound Road  
(2104 Rosalie Avenue)  
15th Election District  
5th Councilmanic District

Joseph B. Bronushas, et ux  
Petitioners

\* BEFORE THE  
\* DEPUTY ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 97-107-A  
\*

\* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Administrative Variance for that property known as 2104 Rosalie Avenue, located in the vicinity of Greyhound Road and the Middle River in Essex. The Petition was filed by the owners of the property, Joseph B. and Carolyn O. Bronushas. The Petitioners seek relief from Section 400 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a front setback of 1 foot in lieu of the minimum required 2.5 feet for a proposed open carport. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. The property has been duly posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation presented.

After due consideration of the evidence submitted, in the opinion of this Deputy Zoning Commissioner, the relief requested sufficiently complies with the requirements of Sections 307.1, 307.2 and 500.14 of the Baltimore County Zoning Regulations (B.C.Z.R.) and should therefore be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the

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Date

By

MICROFILMED

public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

The facts and evidence presented tend to establish that special conditions or circumstances exist which are peculiar to the land or structures located within the Chesapeake Bay Critical Areas of Baltimore County; that to deny the relief requested would result in practical difficulty, unreasonable hardship, or severe economic hardship upon the Petitioner; and that strict compliance with the Chesapeake Bay Critical Area requirements and the B.C.Z.R. would deprive the Petitioner of rights commonly enjoyed by other properties in similar areas within the Chesapeake Bay Critical Areas in Baltimore County. The granting of the relief requested will not confer upon the Petitioner any special privilege that would be denied by the critical area regulations to other lands or structures within the Chesapeake Bay Critical Areas. The relief requested is in harmony with the general spirit and intent of the Critical Areas legislation for Baltimore County and conforms to the requirements as set forth in Section 500.14 of the B.C.Z.R.

In accordance with Section 500.14 of the B.C.Z.R., the Director of the Department of Environmental Protection and Resource Management has submitted recommendations which describe what steps the Petitioner must take to insure that the relief requested complies with the following Chesapeake Bay Critical Areas requirements to:

- 1) Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;
- 2) Conserve fish, wildlife, and plant habitat; and
- 3) Be consistent with established land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact

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Date 10/5/96  
By [Signature]

that, even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts.

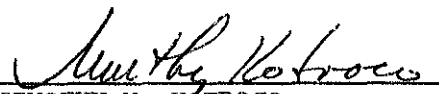
These recommendations shall be attached hereto and become a permanent part of the decision rendered in this case. There is no evidence in the record that the relief requested would adversely affect the health, safety, and/or general welfare of the public provided there is compliance with the requirements of the Department of Environmental Protection and Resource Management as more fully described below.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 5<sup>th</sup> day of October, 1996 that the Petition for Administrative Variance seeking relief from Section 400 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a front setback of 1 foot in lieu of the minimum required 2.5 feet for a proposed open carport, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

2) Compliance with all requirements and recommendations of the Department of Environmental Protection and Resource Management (DEPRM), as set forth in their comments dated September 24, 1996, attached hereto and made a part hereof.

  
TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

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Date 10/5/96  
By [Signature]

BALTIMORE COUNTY, MARYLAND  
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT  
INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director  
Zoning Administration and  
Development Management  
September 24, 1996

FROM: Robert A. Wirth *RAW/gp*  
DEPRM

SUBJECT: Zoning Item #107 - Bronushas Property  
2104 Rosalie Avenue  
Zoning Advisory Committee Meeting of September 16, 1996

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

RAW:SA:sp

c: Mr. & Mrs. Joseph B. Bronushas

BRONUSH/DEPRM/TXTSBP

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Date 10/5/96  
By [Signature]

*[Handwritten signature]*



Baltimore County  
Zoning Commissioner  
Office of Planning and Zoning

Suite 112, Courthouse  
400 Washington Avenue  
Towson, Maryland 21204  
(410) 887-4386

October 5, 1996

Mr. & Mrs. Joseph B. Bronushas  
2104 Rosalie Avenue  
Baltimore, Maryland 21221-1814

RE: PETITION FOR ADMINISTRATIVE VARIANCE  
S/S Rosalie Avenue, 155' E of Greyhound Road  
(2104 Rosalie Avenue)  
15th Election District - 5th Councilmanic District  
Joseph B. Bronushas, et ux - Petitioners  
Case No. 97-107-A

Dear Mr. & Mrs. Bronushas:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Permits and Development Management Office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

cc: Ms. Kathy Wheatley, Wheatley Associates, Inc.  
17415 Wesley Chapel Road, Monkton, Md. 21111

People's Counsel; DEPRM

File

Chesapeake Bay Critical Areas Commission  
45 Calvert Street, 2nd Floor, Annapolis, Md. 21401

MICROFILMED

CRITICAL  
AREA



# Petition for Administrative Variance

## to the Zoning Commissioner of Baltimore County

for the property located at

2104 Rosalie Avenue

which is presently zoned DR 5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 400 BCZR TO PERMIT

\*A SETBACK OF 1FT. IN LIEU OF THE REQUIRED 2 1/2 FT. FOR A CARPORT

\*SEE PENDING SPECIAL HEARING

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

*severe hard problems prohibit physically the removal of heavy steel saw - tree debris. THE GARAGE HAS EXISTED FOR MANY YEARS AT THIS LOCATION. THE PROPOSED CARPORT IS NEEDED TO COVER OUR VEHICLES DUE TO BAD WEATHER & PHYSICAL PROBLEMS WE'RE*

Property is to be posted and advertised as prescribed by Zoning Regulations. UNABLE TO KEEP THEM CLEAR  
I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner

(Type or Print Name)

Signature

Address

Phone No

City

State

Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition

Legal Owner(s).

✓ Joseph B. Bronushas  
(Type or Print Name)

✓ Joseph B. Bronushas  
Signature

✓ Carolyn O. Bronushas  
(Type or Print Name)

✓ Carolyn O. Bronushas  
Signature

✓ 2104 Rosalie Ave 687-3295  
Address Phone No

✓ Balto. Md 21221-1814  
City State Zipcode

Name, Address and phone number of representative to be contacted

Kathy Wheatley

Wheatley Associates, Inc.

Name

17415 Wesley Chapel Rd. 329-8242  
Address Phone No

Monkton, MD 21111

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this \_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_ that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted.

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Zoning Commissioner of Baltimore County

REVIEWED BY:

DATE:

9/5/96

ESTIMATED POSTING DATE:

9/15/96



Printed with Soybean Ink  
on Recycled Paper

ITEM #:

107

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Date

By

# Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 2104 Rosalie Avenue  
address  
Baltimore, MD 21221-1814  
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

*We are senior citizens with disabilities who would like relief from snow removal, tree limbs and tree debris on cars. We do not believe granting a variance would be unjust to other property owners in the community. We are founding members of the Turkey Point Improvement Association.*

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

*Joseph B. Bronushas*  
(signature)  
Joseph B. Bronushas  
(type or print name)



*Carolyn O. Bronushas*  
(signature)  
Carolyn O. Bronushas  
(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 29<sup>TH</sup> day of JULY, 19 96, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

JOSEPH B BRONUSHAS & CAROLYN O BRONUSHAS

the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

7-29-96  
date

*Constance C. Wilson*  
NOTARY PUBLIC

My Commission Expires: 6-199

JUL 31 1996

101

**ZONING DESCRIPTION**

Zoning description for: 2104 Rosalie Avenue

Beginning at a point on the south side of Rosalie Avenue which is 30' wide at a distance of 155' east of the centerline of the nearest improved intersecting street, Greyhound Road, which is 30' wide. Being ~~Lots #4 & 5~~ <sup>part of lot 3</sup> and the easternmost half of #3 in the subdivision of the property of Vincent O'Connor and his wife, as recorded in the Baltimore County Plat Book W.P.C. No. 7, Folio #112 containing 3,750 sq. ft. Also known as 2103 Rosalie Avenue and located in the 15 Election District 5 Councilmanic District.

RECEIVED



**CERTIFICATE OF POSTING**  
**ZONING DEPARTMENT OF BALTIMORE COUNTY**  
Towson, Maryland

District 15 Date of Posting 9-13-96

Posted for: \_\_\_\_\_

Petitioner: \_\_\_\_\_

Location of property: 204 Rosalie Ave.

Location of Signer: Fran A. Yarek

Remarks: \_\_\_\_\_

Posted by M. Gansel Date of return: \_\_\_\_\_  
Signature

Number of Signs: \_\_\_\_\_

CASE NUMBER: 97-106-A (Item 107)  
2104 Rosalie Avenue  
S/S Rosalie Avenue, 155' E of Greyhound Road  
15th Election District - 5th Councilmanic  
Legal Owner(s): Joseph B. Bronushas and Carolyn O. Bronushas

28312  
38011

Administrative Variance to permit a setback of 1 foot in lieu of the required 2-1/2 feet for a caport.



RECEIVED  
SEP 14 1996

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

No. 024861

JLL 107 ← FILE WITH ITEM #

DATE 9/5/96 ACCOUNT R0016150

AMOUNT \$ 85.00

RECEIVED FROM: WHEATLEY

FOR: 1 RV SIGN

VALIDATION OR SIGNATURE OF CASHIER

DISTRIBUTION  
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

FOR SECURITY PURPOSES THE BORDER OF THIS DOCUMENT CONTAINS MICROPRINTING

WHEATLEY ASSOCIATES, INC.

17415 WESLEY CHAPEL ROAD  
MONKTON, MARYLAND 21111  
PHONE: 329-8242

LOYOLA FSB  
BALTIMORE, MARYLAND

7-7120/2520

3679

9/5/96

PAY TO THE  
ORDER OF

Baltimore County  
eighty five dollars + 00/100

\$ 85.00

DOLLARS

Kalheard

MEMO

THE REVERSE SIDE OF THIS DOCUMENT INCLUDES AN ARTIFICIAL WATERMARK - HOLD AT AN ANGLE TO VIEW

003679 252071201007 01402494

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Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

107  
\_\_\_\_\_  
ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: ~~107~~ Petitioner: BRONASHAS

Location: 2104 Rosalie Avenue

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Joseph B. Bronushas

ADDRESS: 2104 Rosalie Avenue

Baltimore, MD 21221-1814

PHONE NUMBER: (410) 687-3295

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# Plat to accompany Petition for Zoning ☐ Variance ☐ Special Hearing

PROPERTY ADDRESS: \_\_\_\_\_

see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: \_\_\_\_\_

plat book # \_\_\_\_\_, folio # \_\_\_\_\_, lot # \_\_\_\_\_, section # \_\_\_\_\_

OWNER: \_\_\_\_\_



North

date: \_\_\_\_\_  
prepared by: \_\_\_\_\_

Scale of Drawing: 1" = \_\_\_\_\_



Vicinity Map  
scale: 1"=1000'

## LOCATION INFORMATION

Election District: \_\_\_\_\_

Councilmanic District: \_\_\_\_\_

1"=200' scale map#: \_\_\_\_\_

Zoning: \_\_\_\_\_

Lot size: \_\_\_\_\_  
acreage      square feet

public      private  
SEWER: ☐      ☐  
WATER: ☐      ☐

Chesapeake Bay Critical Area: ☐ yes ☐ no

Prior Zoning Hearings: \_\_\_\_\_

## Zoning Office USE ONLY!

reviewed by: \_\_\_\_\_ ITEM #: \_\_\_\_\_ CASE#: \_\_\_\_\_



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

September 11, 1996

NOTICE OF CASE NUMBER ASSIGNMENT

Re: CASE NUMBER: 97-107-A (Item 107)  
2104 Rosalie Avenue  
S/S Rosalie Avenue, 155' E of Greyhound Road  
15th Election District - 5th Councilmanic  
Legal Owner(s): Joseph B. Bronushas and Carolyn O. Bronushas

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

- 1) Your property will be posted on or before September 15, 1996. The closing date (September 30, 1996) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.
- 2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).
- 3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

A handwritten signature in cursive script, reading "Arnold Jablon".

Arnold Jablon  
Director

cc: Joseph and Carolyn Bronushas  
Kathy Wheatley

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Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

September 23, 1996

Mr. and Mrs. Joseph B. Bronushas  
2104 Rosalie Avenue  
Baltimore, MD 21221-1814

RE: Item No.: 107  
Case No.: 97-107-A  
Petitioner: Joseph Bronushas, et ux

Dear Mr. and Mrs. Bronushas:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on September 5, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

A handwritten signature in dark ink, appearing to read "W. Carl Richards, Jr.", is written over the typed name.

W. Carl Richards, Jr.  
Zoning Supervisor

WCR/re  
Attachment(s)

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**Maryland Department of Transportation**  
**State Highway Administration**

David L. Winstead  
Secretary  
Parker F. Williams  
Administrator

9-18-96

Ms. Roslyn Eubanks  
Baltimore County Office of  
Permits and Development Management  
County Office Building, Room 109  
Towson, Maryland 21204

RE: Baltimore County  
Item No. 107 (JLL)

Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-545-5581 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Ronald Burns, Chief  
Engineering Access Permits  
Division

BS/es

My telephone number is \_\_\_\_\_

Maryland Relay Service for Impaired Hearing or Speech  
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717  
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202



Baltimore County Government  
Fire Department



700 East Joppa Road  
Towson, MD 21286-5500

Office of the Fire Marshal  
(410) 887-4880

DATE: 09/19/96

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204  
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF SEPT. 16, 1996.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,  
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 104, 105, 106, 107, 108 & 109.

REVIEWER: LT. ROBERT P. SAUERWALD  
Fire Marshal Office, PHONE 887-4881, MS-1102F



BALTIMORE COUNTY PERSONNEL  
RULES AND REGULATIONS  
RULE 8 SEASONAL,  
PART-TIME, OR TEMPORARY  
EMPLOYEES

REGULATION 8.03

Employees serving in temporary appointments may not be credited for such service, while serving under such appointments, toward completion of the required probationary period in any job and may be dismissed from their jobs at any time without right of appeal or hearing, except that the appointing authority shall give the employee reasonable notice of the dismissal action, and shall forward a copy of such notice to the Director of Personnel.  
(Bill No. 17, 1990)

REGULATION 8.04

If any temporary employee be accepted in permanent status, sick leave and vacation credits shall be computed from the date of the employee's temporary employment if such employment was continuous with his permanent employment. (Bill No. 17, 1990)

B A L T I M O R E   C O U N T Y ,   M A R Y L A N D

INTER-OFFICE CORRESPONDENCE

TO:      Arnold Jablon, Director  
         Permits and Development  
         Management

DATE:   September 19, 1996

FROM:    Pat Keller, Director  
         Planning Office

SUBJECT:    Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 104, 105, 106, 107, and 108

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by:

*Jeffrey W. Long*

Division Chief:

*Gary L. Kerns*

PK/JL

BALTIMORE COUNTY PERSONNEL  
RULES AND REGULATIONS  
RULE 21 VACATIONS

REGULATION 21.06

Part-time employees shall earn  
and accrue vacation leave according to the  
following schedule:

<u>Average</u> <u>Weekly</u> <u>Hours</u>	<u>Years of</u> <u>Service</u>	<u>Monthly</u> <u>Earned</u>	<u>Maximum</u> <u>Accrual</u>
10-17 hrs	1- 5 years	1/4 day	5 days
	6-10 years	1/3 day	6.5 days
	11-15 years	1/2 day	8 days
	16 and over	1/2 day	10 days
18-26 hrs	1- 5 years	1/2 day	10 days
	6-10 years	2/3 day	13 days
	11-15 years	1 day	16 days
	16 and over	1 day	20 days
27-34 hrs	1- 5 years	3/4 day	15 days
	6-10 years	1 day	19.5 days
	11-15 years	1 1/4 days	25 days
	16 and over	1 1/2 days	30 days

REGULATION 21.07

Classified employees on Pay Schedule VI who  
have reached the maximum accrual allowed  
vacation hours as of December 31 of any  
calendar year may request to be reimbursed  
in cash for such hours in excess of the  
maximum accrual allowed to a maximum of  
forty (40) hours for "40 Hours" employees  
or a maximum of thirty five (35) hours for  
"other than 40 Hours" employees; such  
requests for reimbursement are subject to  
approval by the Administrative Officer;  
provided further that if due to budgetary  
restrictions reimbursement is not possible,  
such employees may increase by forty  
(40) hours, or thirty five (35) hours  
respectively, their maximum allowable  
accrual provided by the schedule listed in  
Regulation 21.02.

(Bill No. 80-82, 60-85)

**BALTIMORE COUNTY, MARYLAND**  
**Inter-Office Memorandum**

DATE: September 5, 1996

TO: Hearing Officer

FROM: John L. Lewis  
Planner II  
Zoning Review, PDM

SUBJECT: Item #107  
2104 Rosalie Avenue

This is an unusual situation. Applicant came in with this administrative variance request hoping to get a variance for the principal building setback and thought the lots were combined. Based on the site plan, I saw separate lots and per the applicant, the deed calls them separately. Based on this, we seem to have an accessory structure with a non-conforming situation (i.e., on an unimproved lot). The setback would seem to be okay if 2-1/2 feet and extended even with the garage for the carport. However, after discussing with Arnold Jablon, a special hearing for the non-conforming location and increase seems required. The applicant desired to file the variance anyhow with the understand that a special hearing is still needed.

JLL:scj

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Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

September 27, 1996

Mr. and Mrs. Joseph Bronushas  
2104 Rosalie Avenue  
Baltimore, MD 21221

RE: Zoning Verification  
2104 Rosalie Avenue  
Zoning Case #97-107-A  
15th Election District

Dear Mr. and Mrs. Bronushas:

This letter responds to your correspondence and plan received on September 24, 1996 concerning the above referenced site and future zoning hearing.

The filing review, at which your variance was processed, indicated that your proposed garage expansion is located on an existing garage which is located on a separate lot from your residence. I discussed this situation with your representative and Mr. Arnold Jablon, Director of Permits and Development Management. Mr. Jablon indicated that, due to the fact that the garage does not meet the definition of an accessory structure (due to its location on a lot separated from the principal dwelling), it is in conflict with the Baltimore County Zoning Regulations (BCZR) and policies which prohibit this situation.

Where such potential conflicts arise which pertain to possible nonconforming uses (see Section 104, BCZR, attached), a zoning special hearing to establish the legality of the nonconforming use and the proposed expansion is in order. This information was provided to your representative and a note to this effect was placed in the zoning case file for the reference of the zoning commissioner.

Your representative chose to file the variance without the suggested special hearing. This, of course, is allowed at the risk of the petitioner. Should the zoning commissioner choose to grant your variance request and disregard the nonconforming issue, this office will abide by his decision and approve a building permit.

IMPROVED

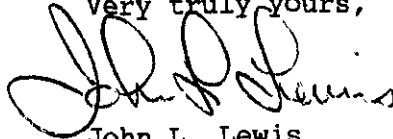


Printed with Soybean Ink  
on Recycled Paper

Mr. and Mrs. Joseph Bronushas  
September 27, 1996  
Page 2

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 887-3391.

Very truly yours,



John L. Lewis  
Planner II  
Zoning Review

JLL:rye

c: zoning case #97-107-A

Enclosures

RECEIVED  
OCT 1 1996

Date \_\_\_\_\_ Time \_\_\_\_\_ ☐ AM ☒ PM

**WHILE YOU WERE OUT**

M. Kathy Wheatley  
 of Wheatley

Phone ( 1 ) 329-8242

Area Code	Number	Extension
TELEPHONED	<input type="checkbox"/>	<input type="checkbox"/>
PLEASE CALL	<input type="checkbox"/>	<input type="checkbox"/>
CALLED TO SEE YOU	<input type="checkbox"/>	WILL CALL AGAIN
WANTS TO SEE YOU	<input type="checkbox"/>	URGENT

☐ RETURNED YOUR CALL

Message \_\_\_\_\_  
Zoning Variance  
# 107  
Go ahead and put  
it through

Operator \_\_\_\_\_

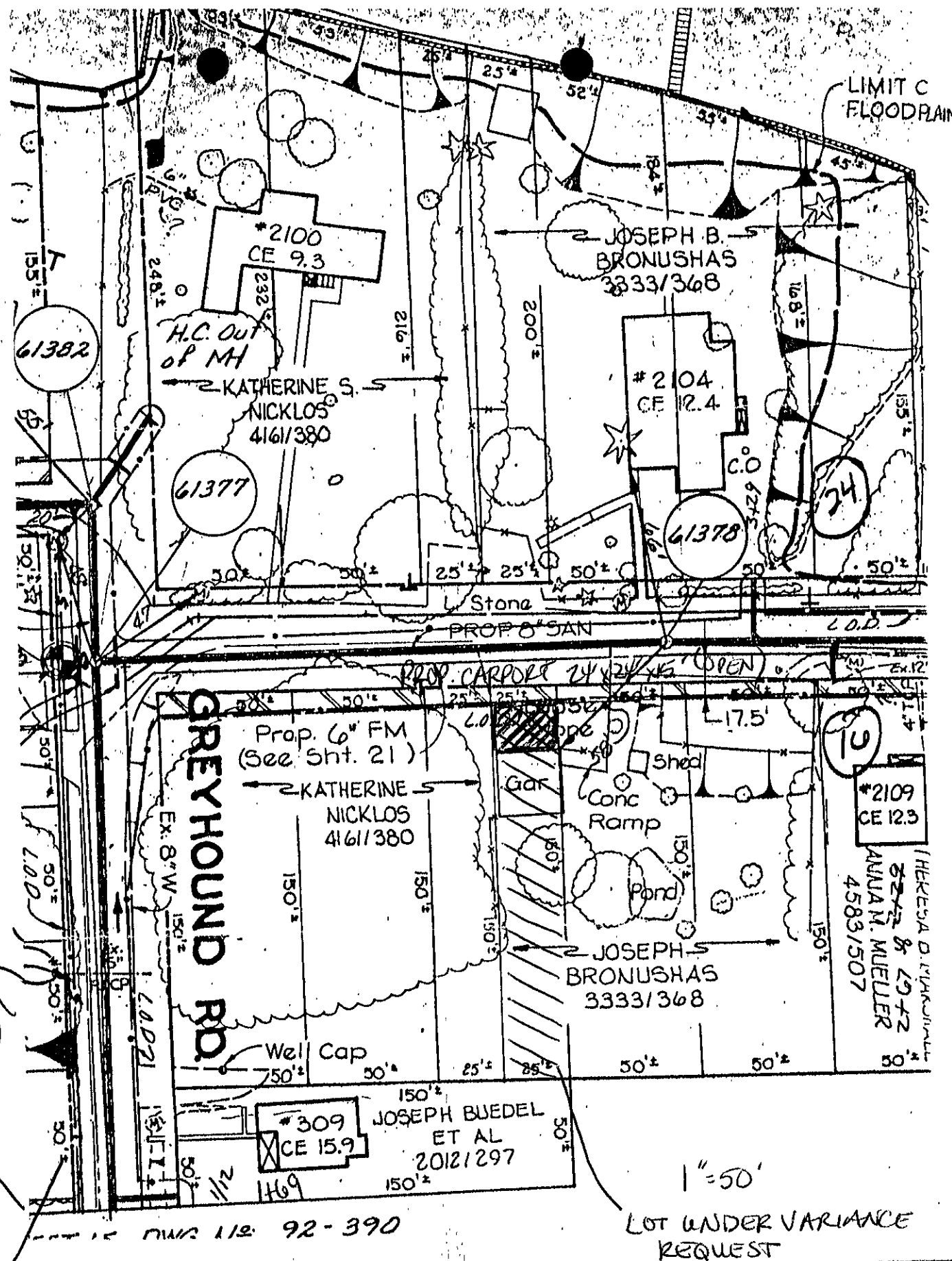


AMPAD  
EFFICIENCY®

MICROFILMED

REORDER  
#23-000





# PLAT TO ACCOMPANY PETITION FOR ZONING VARIANCE

PROPERTY ADDRESS: 2104 ROSALIE AVENUE  
 OWNER: JOSEPH B. & CAROLYN O. BRONUSHAS

\*SEE PENDING  
 SPECIAL HEARING

DISTRICT: 15 COUNCILMANIC: 5  
 PRECINCT: 19

1"=200' SCALE MAP: NE-1-J

ZONING: DR S. 5

LOT SIZE: ~~5000~~ 5000 SQ. FT.

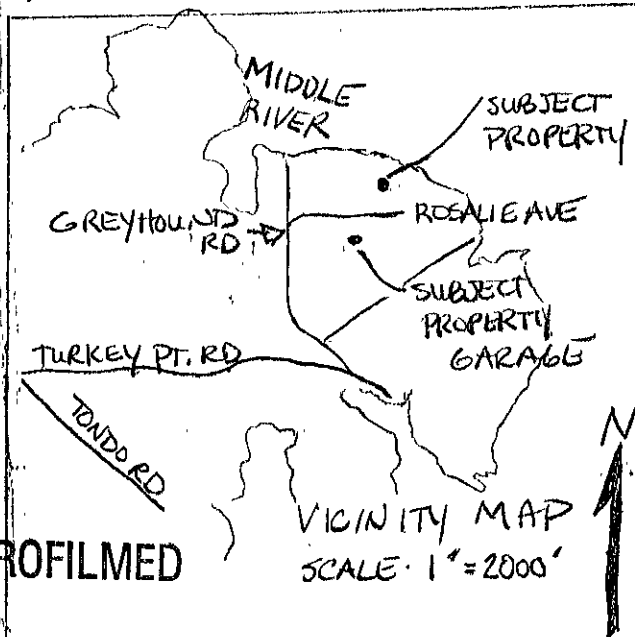
FLOOD PLAIN: NO

PUBLIC WATER SUPPLY  
 PRIVATE SEPTIC SYSTEM

CHESAPEAKE BAY CRITICAL AREA: YES

PRIOR ZONING HEARINGS: NO

LIBER G.L.B. 3333 FOLD 368



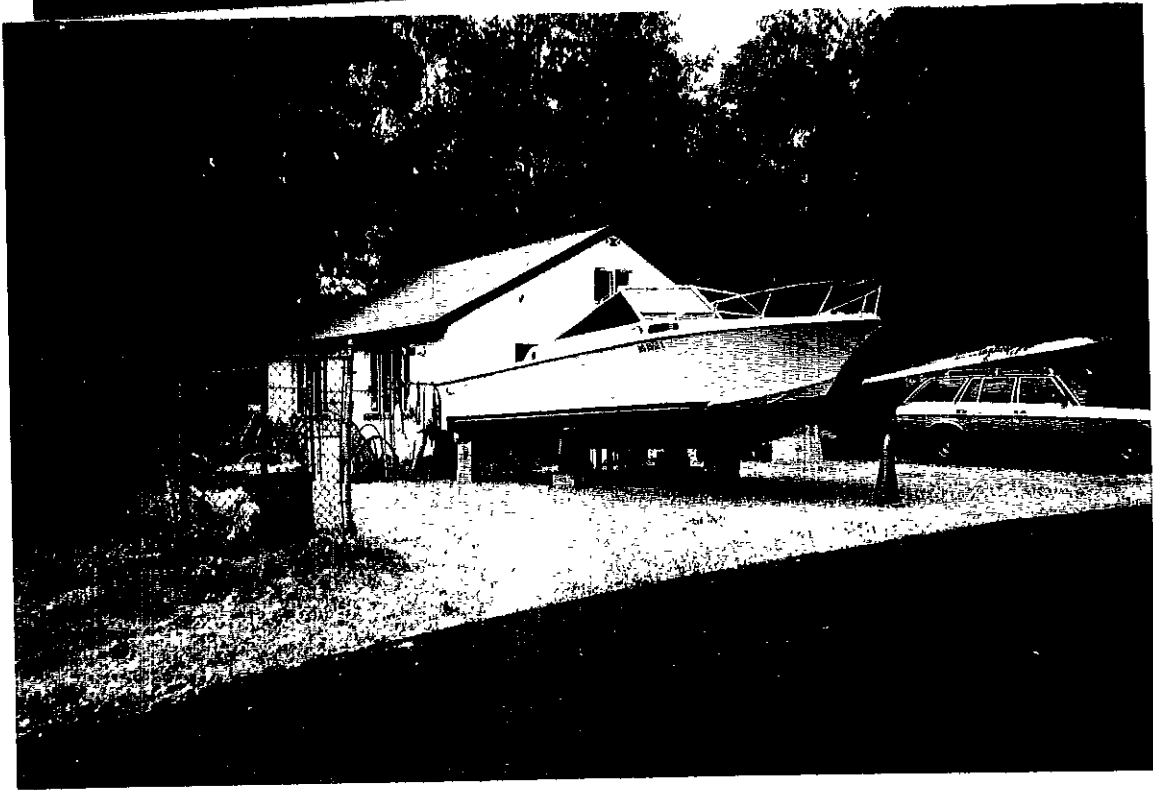
MICROFILMED

VICINITY MAP  
 SCALE: 1"=2000'

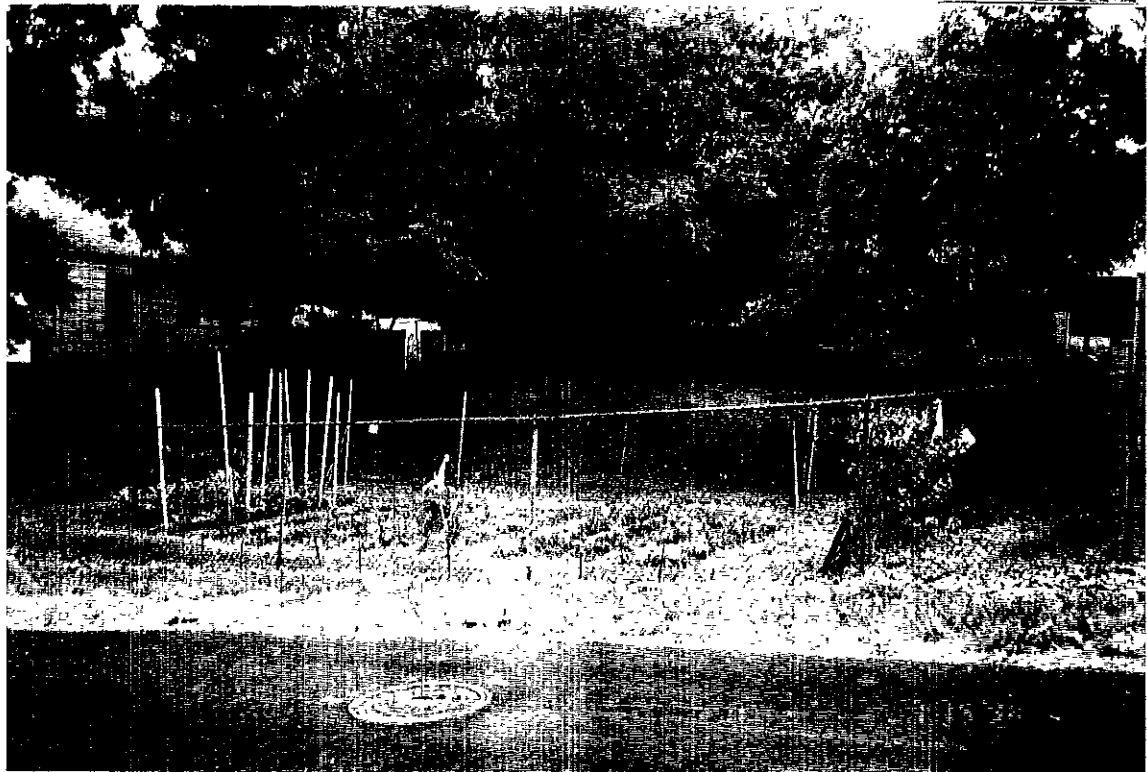
photograph

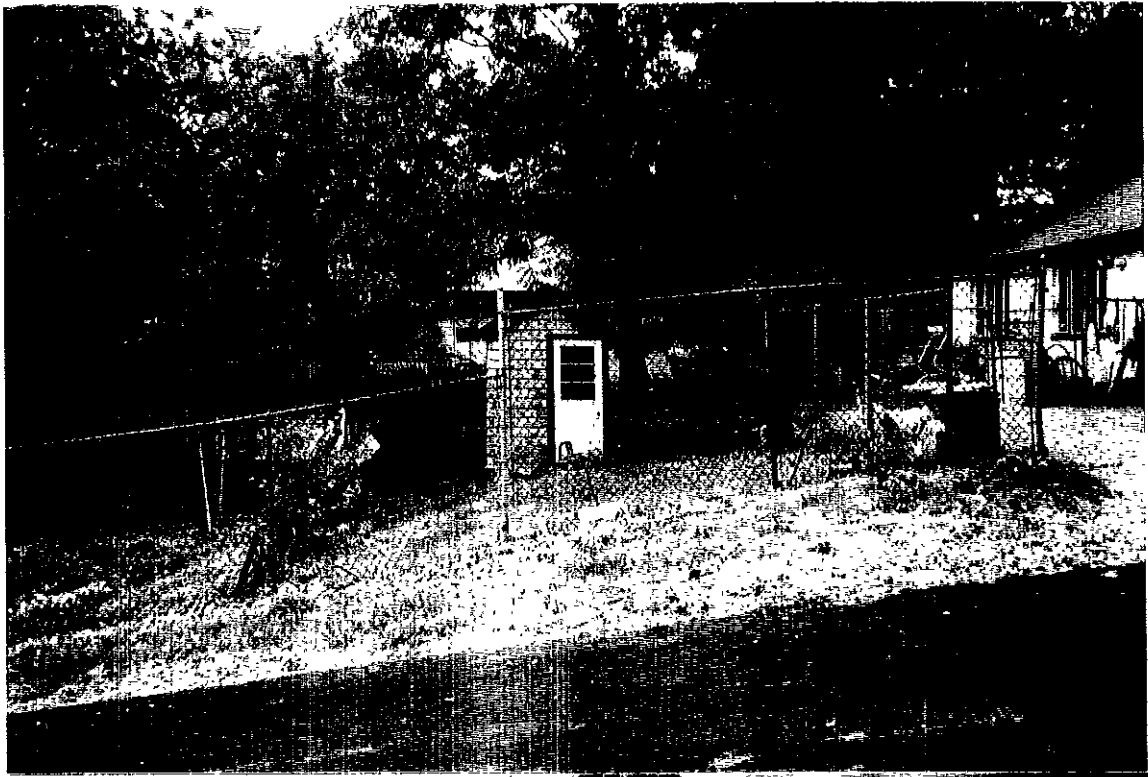
Case 97-107-A

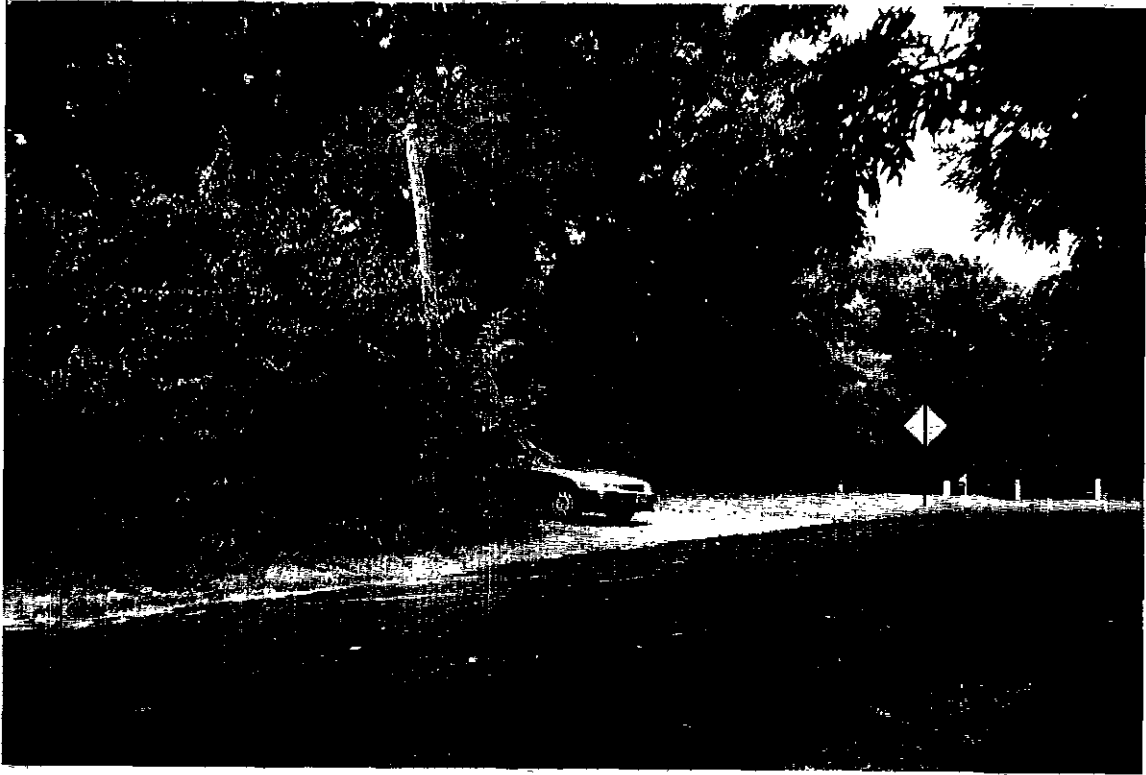
MICROFILMED























PREPARED BY AIR PHOTOGRAPHICS, INC.  
MARTINSBURG, W. V. 25401

BALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING  
PHOTOGRAPHIC MAP

SCALE	LOCATION	SHEET
1" = 200' ±	BACK RIVER NECK	N.E.
DATE OF PHOTOGRAPHY JANUARY 1986	CAPE MAY	1-J
	<i>Microfilmed</i>	



IN RE: PETITION FOR ADMIN. VARIANCE  
S/S Rosalie Avenue, 155' E of  
Greyhound Road  
(2104 Rosalie Avenue)  
15th Election District  
5th Councilmanic District  
Joseph B. Bronushas, et ux  
Petitioners

\* BEFORE THE  
\* DEPUTY ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 97-107-A

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Administrative Variance for that property known as 2104 Rosalie Avenue, located in the vicinity of Greyhound Road and the Middle River in Essex. The Petition was filed by the owners of the property, Joseph B. and Carolyn O. Bronushas. The Petitioners seek relief from Section 400 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a front setback of 1 foot in lieu of the minimum required 2.5 feet for a proposed open carport. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. The property has been duly posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation presented.

After due consideration of the evidence submitted, in the opinion of this Deputy Zoning Commissioner, the relief requested sufficiently complies with the requirements of Sections 307.1, 307.2 and 500.14 of the Baltimore County Zoning Regulations (B.C.Z.R.) and should therefore be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the

public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

The facts and evidence presented tend to establish that special conditions or circumstances exist which are peculiar to the land or structures located within the Chesapeake Bay Critical Areas of Baltimore County; that to deny the relief requested would result in practical difficulty, unreasonable hardship, or severe economic hardship upon the Petitioner; and that strict compliance with the Chesapeake Bay Critical Area requirements and the B.C.Z.R. would deprive the Petitioner of rights commonly enjoyed by other properties in similar areas within the Chesapeake Bay Critical Areas in Baltimore County. The granting of the relief requested will not confer upon the Petitioner any special privilege that would be denied by the critical area regulations to other lands or structures within the Chesapeake Bay Critical Areas. The relief requested is in harmony with the general spirit and intent of the Critical Areas legislation for Baltimore County and conforms to the requirements as set forth in Section 500.14 of the B.C.Z.R.

In accordance with Section 500.14 of the B.C.Z.R., the Director of the Department of Environmental Protection and Resource Management has submitted recommendations which describe what steps the Petitioner must take to insure that the relief requested complies with the following Chesapeake Bay Critical Areas requirements to:

- 1) Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;
- 2) Conserve fish, wildlife, and plant habitat; and
- 3) Be consistent with established land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact

- 2 -

that, even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts.

These recommendations shall be attached hereto and become a permanent part of the decision rendered in this case. There is no evidence in the record that the relief requested would adversely affect the health, safety, and/or general welfare of the public provided there is compliance with the requirements of the Department of Environmental Protection and Resource Management as more fully described below.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 24 day of October, 1996 that the Petition for Administrative Variance seeking relief from Section 400 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a front setback of 1 foot in lieu of the minimum required 2.5 feet for a proposed open carport, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.
- 2) Compliance with all requirements and recommendations of the Department of Environmental Protection and Resource Management (DEPRM), as set forth in their comments dated September 24, 1996, attached hereto and made a part hereof.

*Timothy M. Kotroco*  
TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

- 3 -

#### BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director  
Zoning Administration and  
Development Management  
September 24, 1996

FROM: Robert A. Wirth *RAW/2/p*  
DEPRM

SUBJECT: Zoning Item #107 - Bronushas Property  
2104 Rosalie Avenue  
Zoning Advisory Committee Meeting of September 16, 1996

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

RAW:SA:sp

c: Mr. & Mrs. Joseph B. Bronushas  
BRONUSH/DEPRM/TXTSBP

ORDER RECEIVED FOR FILING  
Date 10/24/96  
By [Signature]

ORDER RECEIVED FOR FILING  
Date 10/24/96  
By [Signature]

ORDER RECEIVED FOR FILING  
Date 10/24/96  
By [Signature]

ORDER RECEIVED FOR FILING  
Date 10/24/96  
By [Signature]



Baltimore County  
Zoning Commissioner  
Office of Planning and Zoning

Suite 112, Courthouse  
400 Washington Avenue  
Towson, Maryland 21204  
(410) 887-4386

October 5, 1996

Mr. & Mrs. Joseph B. Bronushas  
2104 Rosalie Avenue  
Baltimore, Maryland 21221-1814

RE: PETITION FOR ADMINISTRATIVE VARIANCE  
S/S Rosalie Avenue, 155' E of Greyhound Road  
(2104 Rosalie Avenue)  
15th Election District - 5th Councilmanic District  
Joseph B. Bronushas, et ux - Petitioners  
Case No. 97-107-A

Dear Mr. & Mrs. Bronushas:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Permits and Development Management Office at 887-3391.

Very truly yours,  
*Timothy M. Kotroco*  
TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

cc: Ms. Kathy Wheatley, Wheatley Associates, Inc.  
17415 Wesley Chapel Road, Monkton, Md. 21111

People's Counsel, DEPRM

Chesapeake Bay Critical Areas Commission

45 Calvert Street, 2nd Floor, Annapolis, Md. 21401



#### Petition for Administrative Variance to the Zoning Commissioner of Baltimore County for the property located at 2104 Rosalie Avenue which is presently zoned DR 5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 400 BZR TO PERMIT A SETBACK OF 1 FT. IN LIEU OF THE REQUIRED 2.5 FT. FOR A CARPORT

*SEE PENDING SPECIAL HEARING*  
of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

*several have problems parking physically the removal of heavy cars - these drive the carport was needed for many years at this location the required carport is needed to cover the vehicles due to bad weather the carport is needed. Property is to be posted and advertised as prescribed by Zoning Regulations. We agree to pay expenses of above Variance advertising, posting, etc. upon filing of this petition, and further agree to be and to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.*

Contract Purchaser/Leases  
Type of Petition Name  
Signature  
Address  
City State Zip  
Attorney for Petitioner  
Type of Petition Name  
Signature  
Address  
City State Zip

(We do solemnly swear and affirm, under the penalties of perjury that we are the legal owner(s) of the property which is the subject of this Petition.)  
*Joseph B. Bronushas*  
*Carolyn O. Bronushas*  
*Joseph B. Bronushas*  
*Carolyn O. Bronushas*  
2104 Rosalie Ave 658-3245  
Baltimore, MD 21221-1814  
Kathy Wheatley  
Wheatley Associates, Inc.  
17415 Wesley Chapel Rd. 329-8242  
Monkton, MD 21111

ORDER RECEIVED FOR FILING  
Date 9/15/96  
By [Signature]

REVIEWED: 9/15/96  
ESTIMATED FILING DATE: 9/15/96

Printed with Recycled Ink on Recycled Paper

ITEM #: 107

#### Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify therein in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 2104 Rosalie Avenue  
Baltimore, MD 21221-1814

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

*We are senior citizens with disabilities and would like to have a carport removed, the house and driveway are old. We do not believe granting a variance would be unfair to other property owners in the community. We are founding members of the Turkey Foot Improvement Association.*

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposing and advertising fee and may be required to provide additional information.

*Joseph B. Bronushas*  
*Carolyn O. Bronushas*  
*Joseph B. Bronushas*  
*Carolyn O. Bronushas*

STATE OF MARYLAND, COUNTY OF BALTIMORE, ss. ss. ss.  
I HEREBY CERTIFY, this 24 day of July, 1996, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

JOSEPH B. BRONUSHAS & CAROLYN O. BRONUSHAS  
the Affiant(s) herein, personally known or conversely identified to me as such, Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her knowledge and belief.

AS WITNESS my hand and Notarial Seal.  
*Joseph B. Bronushas*  
ONE 6-1-99  
My Commission Expires: 6-1-99

JUL 8 1996

#### ZONING DESCRIPTION

Zoning description for: 2104 Rosalie Avenue

Beginning at a point on the south side of Rosalie Avenue which is 30' wide at a distance of 155 feet east of the centerline of the nearest improved intersecting street, Greyhound Road, which is 30' wide. Being Lot 1 and the easternmost half of #3 in the subdivision of the property of Vincent O'Connor and his wife, as recorded in the Baltimore County Plat Book W.P.C. No. 7, Folio #112 containing 3.750 sq. ft. Also known as 2103 Rosalie Avenue and located in the 15 Election District 5 Councilmanic District.



**CERTIFICATE OF POSTING**  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District 15 Date of Posting 9-13-96

Posted for: \_\_\_\_\_

Petitioner: \_\_\_\_\_

Location of Property: 2104 Rosalie Ave.

Location of Sign: Front Yard

Remarks: M. Gansel Date of return: \_\_\_\_\_

Posted by: \_\_\_\_\_

Number of Signs: \_\_\_\_\_

CASE NUMBER: 97-107-A (Item 107)  
2104 Rosalie Avenue  
S/S Rosalie Avenue, 155' E of Greyhound Road  
15th Election District - 5th Councilmanic  
Legal Owner(s): Joseph B. Bronushas and Carolyn O. Bronushas

Administrative Variance to permit a setback of 1 foot in lieu of the required 2-1/2 feet for a carport.

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

DATE 9/5/96 ACCOUNT 0006150 No. 024261

AMOUNT \$ 85.00

RECEIVED FROM: WHEATLEY

FOR: 1 RV

VALIDATION OR SIGNATURE OF CARRIER

WHEATLEY ASSOCIATES, INC.  
17415 WESLEY CHAPEL ROAD  
MONTICLO, MARYLAND 21111  
PHONE: 323-8242

3679

PAY TO THE ORDER OF: Baltimore County \$ 85.00

eighty five dollars and no cents

MEMO

Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

**ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES**

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:  
Item No.: 107 Petitioner: BRONUSHAS  
Location: 2104 Rosalie Avenue  
PLEASE FORWARD ADVERTISING BILL TO:  
NAME: Joseph B. Bronushas  
ADDRESS: 2104 Rosalie Avenue  
Baltimore, MD 21231-1814  
PHONE NUMBER: (410) 687-3295

Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

September 11, 1996

**NOTICE OF CASE NUMBER ASSIGNMENT**

Re: CASE NUMBER: 97-107-A (Item 107)  
2104 Rosalie Avenue  
S/S Rosalie Avenue, 155' E of Greyhound Road  
15th Election District - 5th Councilmanic  
Legal Owner(s): Joseph B. Bronushas and Carolyn O. Bronushas

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

- 1) Your property will be posted on or before September 15, 1996. The closing date (September 30, 1996) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.
- 2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reported and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reporting and newspaper advertising are payable by the petitioner(s).
- 3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Arnold Jablon  
Director

cc: Joseph and Carolyn Bronushas  
Kathy Wheatley

Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

September 23, 1996

Mr. and Mrs. Joseph B. Bronushas  
2104 Rosalie Avenue  
Baltimore, MD 21221-1814

RE: Item No.: 107  
Case No.: 97-107-A  
Petitioner: Joseph Bronushas, et ux

Dear Mr. and Mrs. Bronushas:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on September 5, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,  
W. Carl Richards, Jr.  
Zoning Supervisor

WCR/re  
Attachment(s)

BALTIMORE COUNTY, MARYLAND  
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT  
INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director  
Zoning Administration and  
Development Management

FROM: Robert A. Wirth RAW/jp  
DEPRM

SUBJECT: Zoning Item #107 - Bronushas Property  
2104 Rosalie Avenue  
Zoning Advisory Committee Meeting of September 16, 1996

September 24, 1996

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

RAW:SA:sp  
cc: Mr. & Mrs. Joseph B. Bronushas  
BRONUSH/DEPRM/TXTSPB

Maryland Department of Transportation  
State Highway Administration

David L. Winstead  
Secretary  
Parker F. Williams  
Administrator

Ms. Roslyn Eubanks  
Baltimore County Office of  
Permits and Development Management  
County Office Building, Room 109  
Towson, Maryland 21204

RE: Baltimore County  
Item No. 107 (JLL)

Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-545-5581 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,  
Bob Small  
for Ronald Burns, Chief  
Engineering Access Permits  
Division

BS/es

My telephone number is \_\_\_\_\_  
Maryland Relay Service for Impaired Hearing or Speech  
1-800-735-2258 Statewide Toll Free  
Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717  
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Baltimore County Government  
Fire Department

700 East Joppa Road  
Towson, MD 21286-5500

Office of the Fire Marshal  
(410) 887-4880

DATE: 09/19/96

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204  
MAIL STOP-1105

RE: Property Owner: SEE BELOW  
Location: DISTRIBUTION MEETING OF SEPT. 16, 1996.

Item No.: SEE BELOW Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

B. The Fire Marshal's Office has no comments at this time.  
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 104, 105, 106, 107, 108 & 109.

REVIEWER: LT. ROBERT P. SAUERWALD  
Fire Marshal Office, PHONE 887-4881, MS-1102F



BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Permits and Development  
Management

DATE: September 19, 1996

FROM: Pat Keller, Director  
Planning Office

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):  
Item Nos. 104, 105, 106, 107, and 108

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by: *Jeffrey W. Long*  
Division Chief: *Gary L. Keller*

PK/JL

ITEM104/PZONE/ZAC1

BALTIMORE COUNTY, MARYLAND  
Inter-Office Memorandum

DATE: September 5, 1996

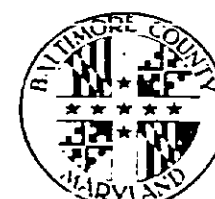
TO: Hearing Officer

FROM: John L. Lewis  
Planner II  
Zoning Review, PDM

SUBJECT: Item #107  
2104 Rosalie Avenue

This is an unusual situation. Applicant came in with this administrative variance request hoping to get a variance for the principal building setback and thought the lots were combined. Based on the site plan, I saw separate lots and per the applicant, the deed calls them separately. Based on this, we seem to have an accessory structure with a non-conforming situation (i.e., on an unimproved lot). The setback would seem to be okay if 2-1/2 feet and extended even with the garage for the carport. However, after discussing with Arnold Jablon, a special hearing for the non-conforming location and increase seems required. The applicant desired to file the variance anyhow with the understand that a special hearing is still needed.

JLL:scj



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

September 27, 1996

Mr. and Mrs. Joseph Bronushas  
2104 Rosalie Avenue  
Baltimore, MD 21221

RE: Zoning Verification  
2104 Rosalie Avenue  
Zoning Case #97-107-A  
15th Election District

Dear Mr. and Mrs. Bronushas:

This letter responds to your correspondence and plan received on September 24, 1996 concerning the above referenced site and future zoning hearing.

The filing review, at which your variance was processed, indicated that your proposed garage expansion is located on an existing garage which is located on a separate lot from your residence. I discussed this situation with your representative and Mr. Arnold Jablon, Director of Permits and Development Management. Mr. Jablon indicated that, due to the fact that the garage does not meet the definition of an accessory structure (due to its location on a lot separated from the principal dwelling), it is in conflict with the Baltimore County Zoning Regulations (BCZR) and policies which prohibit this situation.

Where such potential conflicts arise which pertain to possible nonconforming uses (see Section 104, BCZR, attached), a zoning special hearing to establish the legality of the nonconforming use and the proposed expansion is in order. This information was provided to your representative and a note to this effect was placed in the zoning case file for the reference of the zoning commissioner.

Your representative chose to file the variance without the suggested special hearing. This, of course, is allowed at the risk of the petitioner. Should the zoning commissioner choose to grant your variance request and disregard the nonconforming issue, this office will abide by his decision and approve a building permit.

Mr. and Mrs. Joseph Bronushas  
September 27, 1996  
Page 2

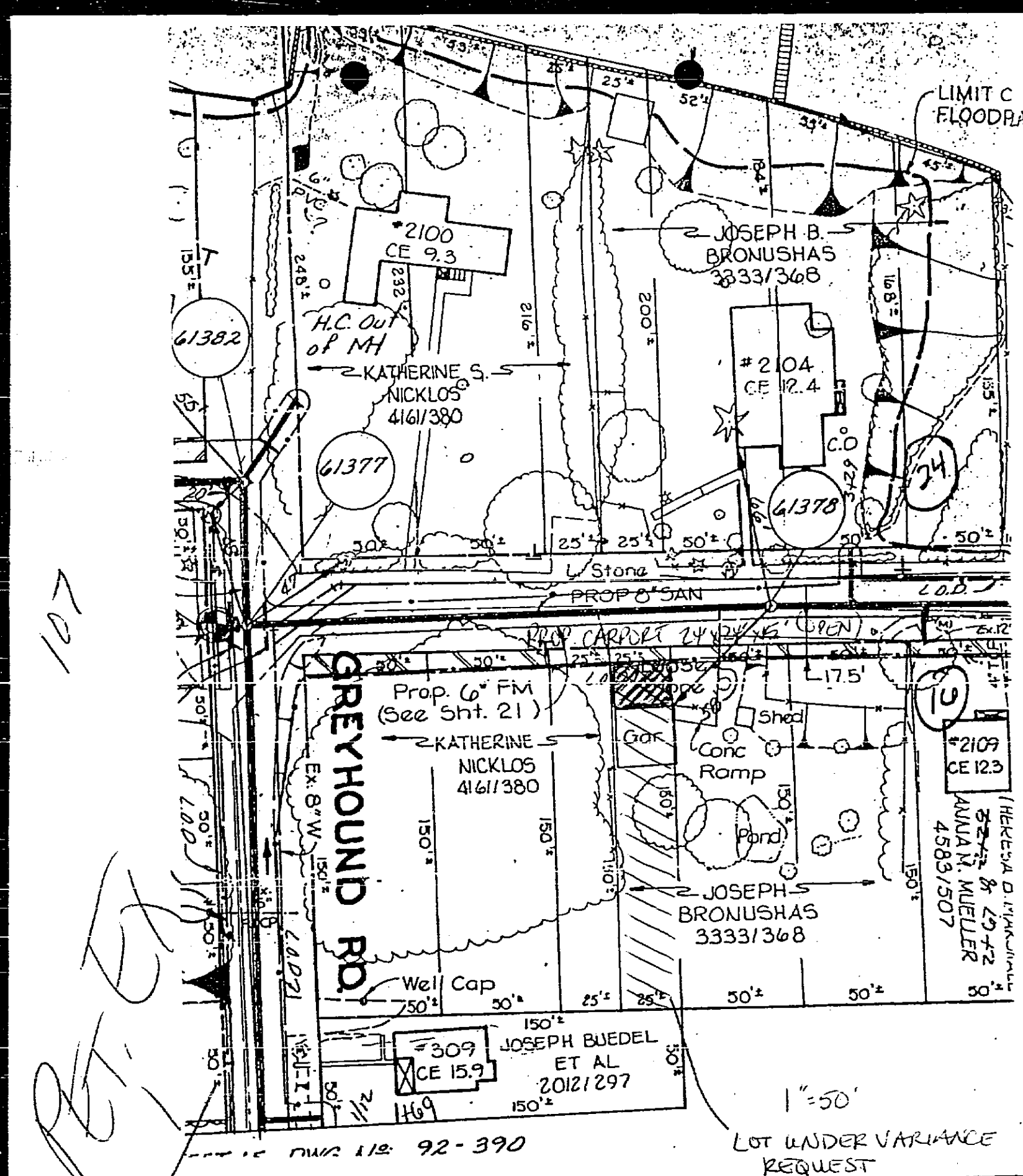
I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 887-3391.

Very truly yours,  
*John L. Lewis*  
John L. Lewis  
Planner II  
Zoning Review

JLL:rye

c: zoning case #97-107-A

Enclosures



PLAT TO ACCOMPANY PETITION FOR ZONING VARIANCE

PROPERTY ADDRESS: 2104 ROSALIE AVENUE \*SEE PENDING SPECIAL HEARING

OWNER: JOSEPH B. & CAROLYN O. BRONUSHAS

DISTRICT: 15 COUNCILMANIC: 5

PRECINCT: 19

1"=200' SCALE MAP: NE-1-S

ZONING: DRS-5

LOT SIZE: 39 FT.

PUBLIC WATER SUPPLY

PRIVATE SEPTIC SYSTEM

CHESAPEAKE BAY CRITICAL AREA: YES

PRIOR ZONING HEARINGS: NO

DEED: G.L.B. 3333 FOLD 308

VICINITY MAP SCALE: 1"=2000'

While YOU WERE OUT

M. *Kathy Wheatley*

of *Wheatley*

Phone *319-8242*

Area Code Number Extension

TELEPHONED ☐ PLEASE CALL ☐

CALLED TO SEE YOU ☐ WILL CALL AGAIN ☐

WANTS TO SEE YOU ☐ URGENT ☐

RETURNED YOUR CALL ☐

Message *Zoning Variance #107*

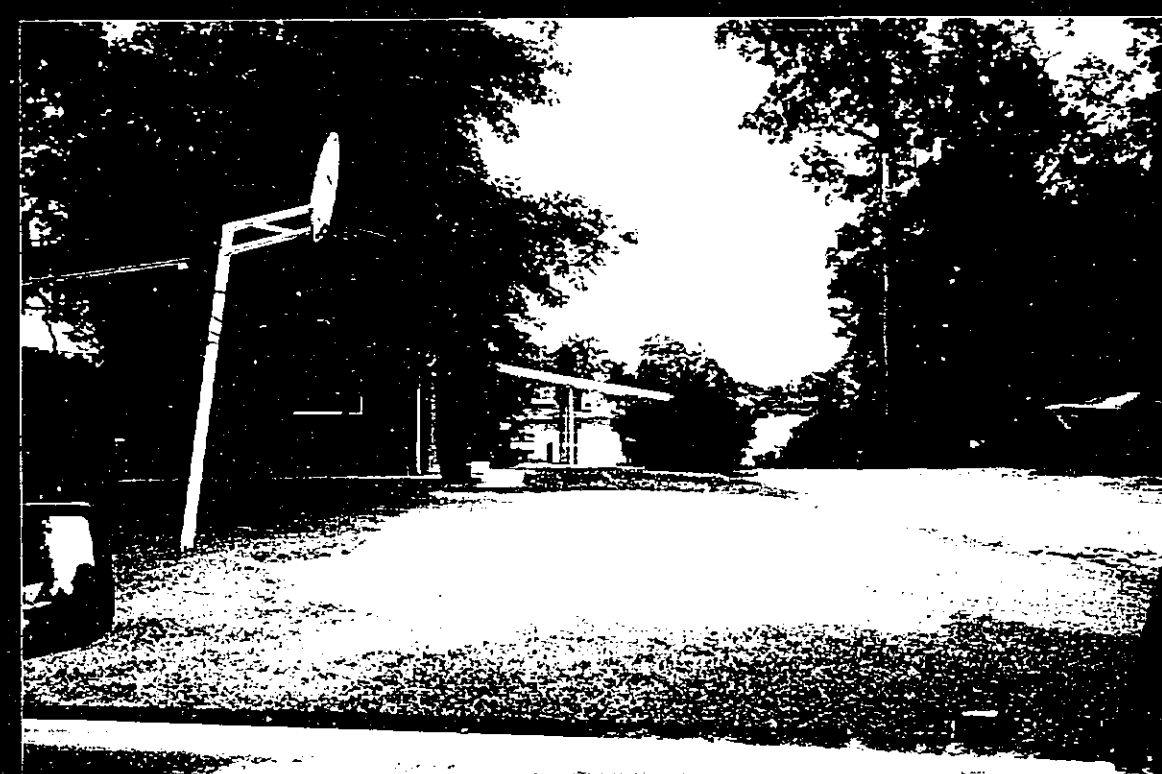
*for ahead and put it through*

Operator

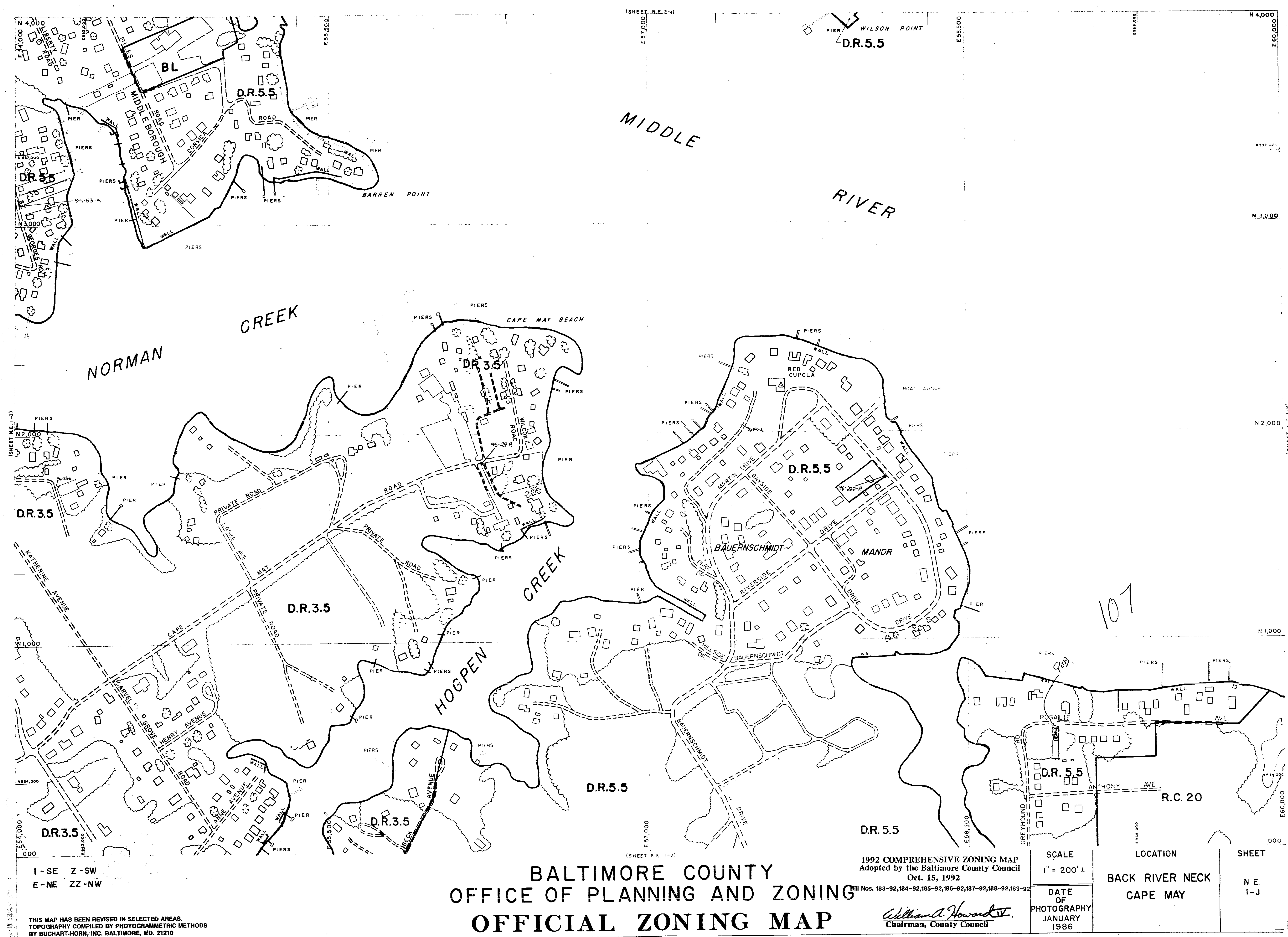
RECORDED #25-000

*photograph*

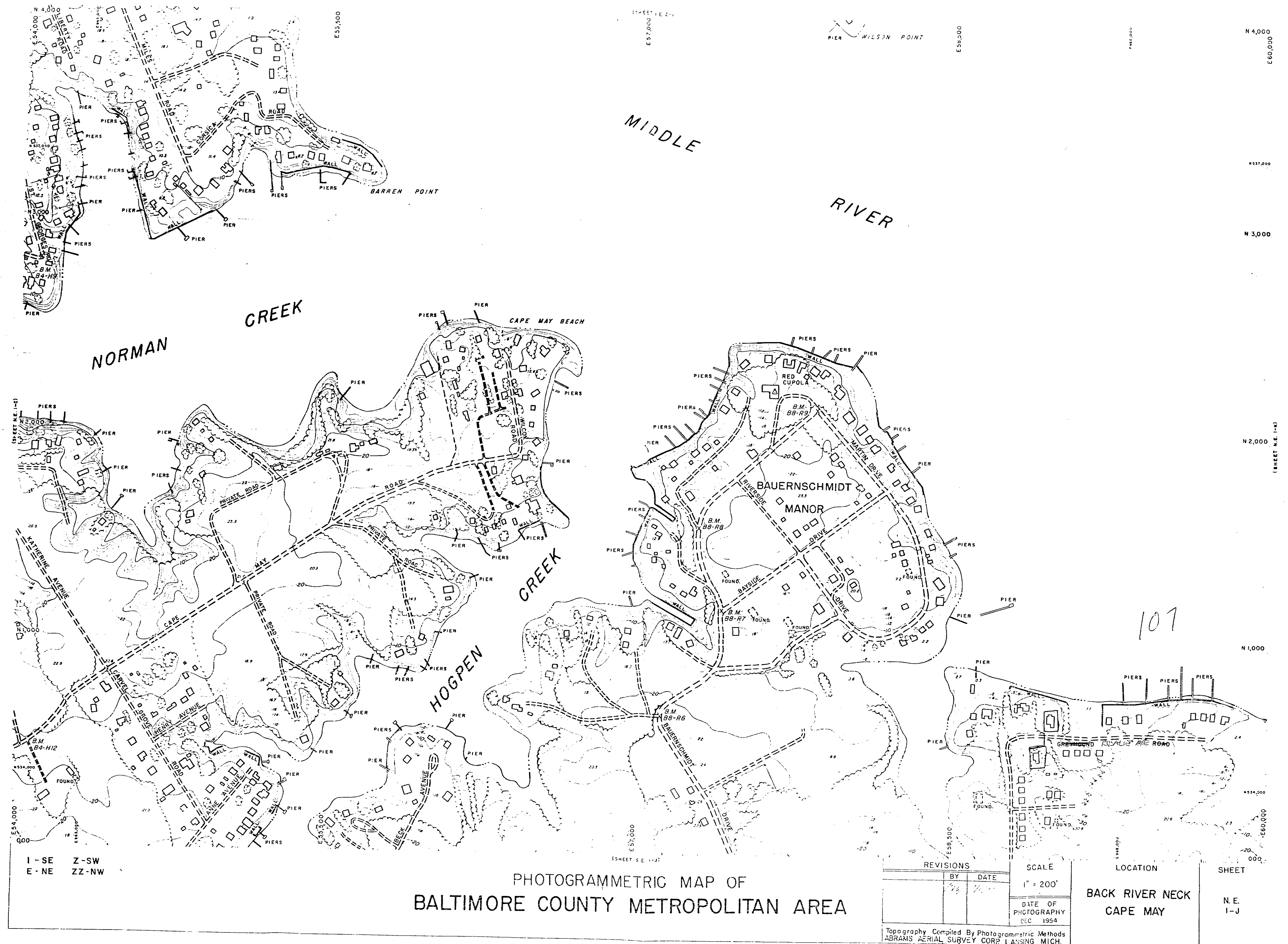
*Case 97-107-A*











I - SE Z - SW  
E - NE ZZ - NW

PHOTOGRAMMETRIC MAP OF  
BALTIMORE COUNTY METROPOLITAN AREA

REVISIONS		DATE
BY	DATE	

Topography Compiled By Photogrammetric Methods  
ADAMS AERIAL SURVEY CORP. LANSING, MICH.

SCALE  
1" = 200'  
DATE OF  
PHOTOGRAPHY  
DEC. 1954

LOCATION  
BACK RIVER NECK  
CAPE MAY

SHEET  
N.E.  
1-J





BALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING  
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.  
HARTISBURG, W.V. 25401

SCALE	LOCATION	SHEET
1" = 200' ±	BACK RIVER NECK	N.E.
DATE OF PHOTOGRAPHY	CAPE MAY	I-J
JANUARY 1986		